IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE BILAL NAZKI**

**and**
**THE HON'BLE MR JUSTICE S.ANANDA REDDY**

**WRIT PETITION NO : 15195 of 2004**

Between:

E. Dakya, S/o. Shakru, R/o. Kodecherla, Kajiguda Thanda, Kothur Mandal, Mahabubnagar District.

**..... PETITIONER**

AND

1 The Regional Transport Officer, Mahabubnagar.
2 The Assistant Motor Vehicles Inspector, Ibrahimpatnam, R.R. District.

**.....RESPONDENT(S)**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly a Writ of Mandamus declaring the seizure of the petitioners vehicle Tractor and Trailer bearing registration No. AP 22T 7923, 7924, seized by the second respondent under vehicle check report No. VCR. No. 0928204, dt. 5-03-2004, as illegal, improper and without jurisdiction and consequently direct the respondents herein to release the petitioners vehicle, forth with pending enquiry.

**Counsel for the Petitioner:MR.JOHN RAJENDRA PRASAD**

**Counsel for the Respondents : GP FOR TRANSPORT**

**The Court at the admission stage, made the following :**

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**ORDER** : (per Sri Bilal Nazki, J)

Heard learned Counsel for the parties. With their consent the Writ Petition is disposed of at this stage.

An order was passed in W.P.M.P.No.19692 of 2004 on 26.8.2004 that the vehicle seized be released on payment of tax due. Learned Government Pleader submits that this order could be the final order with liberty to the respondents to make enquiry regarding the allegations against the petitioner. In this view of the matter, the Writ Petition is disposed of accordingly. During the pendency of the enquiry, the vehicle in question shall not be alienated or no third party interest shall be created with respect to the said vehicle.

Writ Petition is accordingly disposed of. No costs.

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(BILAL NAZKI, J)

9th September, 2004.

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(S.ANANDA REDDY, J)

ajr

To

1 The Regional Transport Officer, Mahabubnagar.
2 The Assistant Motor Vehicles Inspector, Ibrahimpatnam, R.R. District.

3 Two C.Cs. to the G.P. for Transport, High Court

Buildings, Hyderabad (O.U.T).

4 Two C.D. copies.